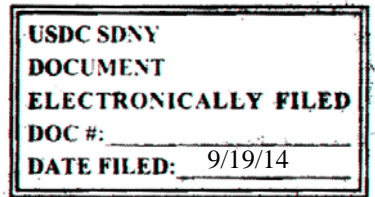


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



-----X
ZOLTAN HIRSCH,

Plaintiff,

-against-

725 ASSOCIATES,

Defendant.
-----X

10 Civ. 9499 (LGS)

OPINION AND ORDER

LORNA G. SCHOFIELD, District Judge:

WHEREAS, on August 13, 2014, Plaintiff's Second Amended Complaint was dismissed with leave to file a Third Amended Complaint by September 9, 2014;

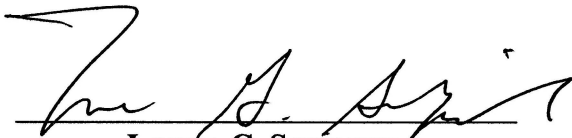
WHEREAS, in the same opinion, Plaintiff's motion to dismiss Defendant's counterclaim for attorneys' fees was denied;

WHEREAS, Plaintiff has not filed a Third Amended Complaint; it is hereby

ORDERED that Plaintiff's claims against Defendant are dismissed with prejudice.

The parties are advised that, by separate order, the matter will be referred to a Magistrate Judge for a report and recommendation on the disposition of Defendant's counterclaim.

Dated: September 19, 2014
New York, New York


LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE